

SOUTH BEND REDEVELOPMENT COMMISSION REGULAR MEETING

January 5, 2007

10:00 a.m.

Presiding: Mr. Karl G. King, Vice President

227 West Jefferson Boulevard
South Bend, Indiana

1. ROLL CALL

Members Present:

Mr. Karl King, Vice President
Mr. Greg Downes, Secretary
Mr. William Hojnacki

Members Absent:

Ms. Marcia Jones, President
Mr. Hardie Blake, Jr.

Legal Counsel:

Ms. Cheryl Greene, Esq.
Mr. Shawn Peterson, Esq.

Redevelopment Staff:

Mr. Don Inks, Director
Mrs. Cheryl Phipps, Recording Secretary
Mr. Bill Schalliol, Economic Development Specialist

Others Present:

Ms. Pam Paluszewski, Legal Dept.
Ms. Rita Kopala
Ms. Glenda Rae Hernandez
Ms. Cathernine Fanello, Controller

2. APPROVAL OF MINUTES

A. Approval of Minutes of the Regular Meeting of Friday, December 15, 2006.

Upon a motion by Mr. Downes, seconded by Mr. King and unanimously carried, the Commission approved the Minutes of the Regular Meeting of Friday, December 15, 2006.

COMMISSION APPROVED THE MINUTES OF THE
REGULAR MEETING OF FRIDAY,
DECEMBER 15, 2006

3. APPROVAL OF CLAIMS

Redevelopment Commission Claims submitted January 5, 2007 for approval.

305 SBCDA 2003 BOND

Walker Parking Consultants

1,162.72

Kaser-Spraker Construction

15,316.52

3. APPROVAL OF CLAIMS (CONT.)

420 FUND TIF DISTRICT-SBCDA
GENERAL

Architecture Design Group 14,850.00

428 FUND AIRPORT 2003 BOND

Meridian Title 141,997.00 Olive Road

\$ 156,847.00

Upon a motion by Mr. Downes, seconded by Mr. Hojnacki and unanimously carried, the Commission approved the Claims submitted January 5, 2007, and ordered checks to be released

COMMISSION APPROVED THE CLAIMS
SUBMITTED JANUARY 5, 2007, AND ORDERED
THE CHECKS TO BE RELEASED

4. COMMUNICATIONS

There were no Communications.

THERE WERE NO COMMUNICATIONS

5. OLD BUSINESS

There was no Old Business.

THERE WAS NO OLD BUSINESS

6. NEW BUSINESS

A. South Bend Central Development Area

- (1) **Commission approval requested for Resolution No. 2288 determining Commission intent to pay certain expenses incurred for local public improvements in or serving the South Bend Central Allocation Area (South Bend Allocation Area No. 1A) from the South Bend Central Allocation Area (South Bend Allocation Area No. 1A) Special Fund.**

Mr. Inks explained that the agenda contains two types of appropriation resolutions. There are a number of TIF funds that are being set for public hearing that express the Commission's intent to pay certain sums at a

6. NEW BUSINESS (CONT.)

A. South Bend Central Development Area

(1) continued...

particular not-to-exceed amount which will be more specifically described in a different resolution to be considered at a public hearing. There are also resolutions for consideration related to two separate budgets, for the Blackthorn Golf Course and the Leighton Shops, Wayne St. Retail and Leighton Plaza. These have line item budgets, so there are two different types of resolutions associated that are being presented. For the TIF funds, Staff is asking the Commission to approve resolutions that set a public hearing date and establish its intent to appropriate a not-to-exceed amount. At the January 19 meeting, the Commission would go through the actual appropriation process. For the Blackthorn Golf Course budget and the Leighton Shops, Wayne St. Retail and Leighton Plaza budget, Staff is asking the Commission to approve filing the resolutions at a specific budget amount and to set public hearings for those resolutions.

Mr. Inks noted that Resolution No. 2288 sets a public hearing date of January 19, 2007 at 10:00 a.m. and establishes a maximum appropriation amount for the South Bend Central Development Area, Allocation Area No. 1 for Resolution No. 2299 of \$7,000,000.

Upon a motion by Mr. Hojnacki, seconded by Mr. Downes and unanimously carried, the Commission approved Resolution No. 2288 determining Commission intent to pay certain expenses incurred for local public improvements in or serving the South Bend

COMMISSION APPROVED RESOLUTION No. 2288
DETERMINING COMMISSION INTENT TO PAY
CERTAIN EXPENSES INCURRED FOR LOCAL
PUBLIC IMPROVEMENTS IN OR SERVING THE
SOUTH BEND CENTRAL ALLOCATION AREA
(SOUTH BEND ALLOCATION AREA No. 1A)
FROM THE SOUTH BEND CENTRAL ALLOCATION
AREA (SOUTH BEND ALLOCATION AREA

6. NEW BUSINESS (CONT.)

A. South Bend Central Development Area

(1) continued...

Central Allocation Area (South Bend Allocation Area No. 1A) from the South Bend Central Allocation Area (South Bend Allocation Area No. 1A) Special Fund and set the public hearing on Resolution No. 2299 for 10:00 a.m., January 19, 2007.

NO. 1A) SPECIAL FUND AND SET THE PUBLIC HEARING ON RESOLUTION NO. 2299 FOR 10:00 A.M., JANUARY 19, 2007

(2) Filing of Resolution No. 2296 a resolution of the South Bend Redevelopment Commission appropriating monies for the purpose of defraying the expenses of certain local public improvements for the fiscal year beginning January 1, 2007, and ending December 31, 2007, including all outstanding claims and obligations, fixing a time when the same shall take effect and setting a Public Hearing on Resolution No. 2296 for 10:00 a.m., January 19, 2007. (Fund 425, Leighton Retail Space and Courtyard)

Upon a motion by Mr. Hojnacki, seconded by Mr. Downes and unanimously carried, the Commission accepted for filing Resolution No. 2296 and set a public hearing for 10:00 a.m., January 19, 2007 on Resolution No. 2296.

COMMISSION ACCEPTED FOR FILING RESOLUTION NO. 2296 AND SET A PUBLIC HEARING FOR 10:00 A.M., JANUARY 19, 2007 ON RESOLUTION NO. 2296.

B. Sample-Ewing Development Area

(1) Commission approval requested for Resolution No. 2290 determining Commission intent to pay certain expenses incurred for local public improvements in or serving the Sample-Ewing Development Area Allocation Area (South Bend

6. NEW BUSINESS (CONT.)

B. Sample-Ewing Development Area

(1) continued...

Allocation Area No. 8) from the Sample-Ewing Allocation Area (South Bend Allocation Area No. 8) Special Fund.

Mr. Inks noted that Resolution No. 2290 sets the public hearing on the allocation for January 19, 2007 at 10:00 a.m. and sets the maximum allocation for Resolution No. 2301 at \$1,000,000.

Upon a motion by Mr. Downes, seconded by Mr. Hojnacki and unanimously carried, the Commission approved Resolution No. 2290 determining Commission intent to pay certain expenses incurred for local public improvements in or serving the Sample-Ewing Development Area Allocation Area (South Bend Allocation Area No. 8) from the Sample-Ewing Allocation Area (South Bend Allocation Area No. 8) Special Fund and set the public hearing on Resolution No. 2301 for 10:00 a.m., January 19, 2007.

COMMISSION APPROVED RESOLUTION No. 2290 DETERMINING COMMISSION INTENT TO PAY CERTAIN EXPENSES INCURRED FOR LOCAL PUBLIC IMPROVEMENTS IN OR SERVING THE SAMPLE-EWING DEVELOPMENT AREA ALLOCATION AREA (SOUTH BEND ALLOCATION AREA No. 8) FROM THE SAMPLE-EWING ALLOCATION AREA (SOUTH BEND ALLOCATION AREA No. 8) SPECIAL FUND AND SET THE PUBLIC HEARING ON RESOLUTION No. 2301 FOR 10:00 A.M., JANUARY 19, 2007

C. Airport Economic Development Area

(1) Commission approval requested for Resolution No. 2289 determining Commission intent to pay certain expenses incurred for local public improvements in or serving the Airport Economic Development Area Allocation Area No. 1 from the Airport Economic Development Area Allocation Area No. 1 Special Fund.

Mr. Inks noted that Resolution No. 2289 sets the public hearing on the allocation for

6. NEW BUSINESS (CONT.)

C. Airport Economic Development Area

(1) continued...

January 19, 2007 at 10:00 a.m. and sets the maximum allocation for Resolution No. 2300 at \$14,000,000. Mr. Downes noted that the resolution included in the packet has a typographical error. On page two the amount in words says \$14,000,000, but the amount in numbers says only \$1,000,000. The \$14,000,000 is correct.

Upon a motion by Mr. Downes, seconded by Mr. Hojnacki and unanimously carried, the Commission approved Resolution No. 2289, as corrected, determining Commission intent to pay certain expenses incurred for local public improvements in or serving the Airport Economic Development Area Allocation Area No. 1 from the Airport Economic Development Area Allocation Area No. 1 Special Fund and set the public hearing on Resolution No. 2300 for 10:00 a.m., January 19, 2007.

COMMISSION APPROVED RESOLUTION NO. 2289 DETERMINING COMMISSION INTENT TO PAY CERTAIN EXPENSES INCURRED FOR LOCAL PUBLIC IMPROVEMENTS IN OR SERVING THE AIRPORT ECONOMIC DEVELOPMENT AREA ALLOCATION AREA NO. 1 FROM THE AIRPORT ECONOMIC DEVELOPMENT AREA ALLOCATION AREA NO. 1 SPECIAL FUND AND SET THE PUBLIC HEARING ON RESOLUTION NO. 2300 FOR 10:00 A.M., JANUARY 19, 2007

(2) Filing of Resolution No. 2298 a resolution of the South Bend Redevelopment Commission appropriating monies for the purpose of defraying the expenses of certain local public improvements for the fiscal year beginning January 1, 2007, and ending December 31, 2007, including all outstanding claims and obligations, fixing a time when the same shall take effect and setting a Public Hearing on Resolution No. 2298 for 10:00 a.m., January 19, 2007. (Blackthorn Golf Course)

6. NEW BUSINESS (CONT.)

C. Airport Economic Development Area

(2) continued...

Mr. King noted that the Commission has previously expressed the desire to work with the director of the Dept. of Administration and Finance to change the method of accounting for operations at the Blackthorn Golf Course. Approval of this resolution does not override that request.

Upon a motion by Mr. Hojnacki, seconded by Mr. Downes and unanimously carried, the Commission accepted for filing Resolution No. 229 and set a public hearing for 10:00 a.m., January 19, 2007 on Resolution No. 2298.

COMMISSION ACCEPTED FOR FILING
RESOLUTION NO. 2298 AND SET A PUBLIC
HEARING FOR 10:00 A.M., JANUARY 19, 2007 ON
RESOLUTION NO. 2298

D. South Bend Medical Services District

(1) Commission approval requested for Resolution No. 2292 determining Commission intent to pay certain expenses incurred for local public improvements in or serving the Downtown Medical Services District (DMSC Allocation Area) from the Downtown Medical Services District Special Fund (DMSD Allocation Fund)

Mr. Inks noted that Resolution No. 2292 sets the public hearing on the allocation for January 19, 2007 at 10:00 a.m. and sets the maximum allocation for Resolution No. 2303 at \$1,250,000.

Upon a motion by Mr. Downes, seconded by Mr. Hojnacki and unanimously carried, the Commission approved Resolution No. 2292 determining Commission intent to pay

COMMISSION APPROVED RESOLUTION NO. 2292
DETERMINING COMMISSION INTENT TO PAY
CERTAIN EXPENSES INCURRED FOR LOCAL
PUBLIC IMPROVEMENTS IN OR SERVING THE
DOWNTOWN MEDIAL SERVICES DISTRICT

6. NEW BUSINESS (CONT.)

D. South Bend Medical Services District

(1) continued...

certain expenses incurred for local public improvements in or serving the Downtown Medical Services District (DMSC Allocation Area) from the Downtown Medical Services District Special Fund (DMSD Allocation Fund) and set the public hearing on Resolution No. 2303 for 10:00 a.m., January 19, 2007.

(DMSC ALLOCATION AREA) FROM THE DOWNTOWN MEDICAL SERVICES DISTRICT SPECIAL FUND (DMSD ALLOCATION FUND) AND SET THE PUBLIC HEARING ON RESOLUTION NO. 2303 FOR 10:00 A.M., JANUARY 19, 2007

E. West Washington-Chapin Development Area

(1) Commission approval requested for Resolution No. 2291 determining Commission intent to pay certain expenses incurred for local public improvements in or serving the West Washington-Chapin Allocation Area (South Bend Allocation Area No. 7) from the West Washington-Chapin Allocation Area (South Bend Allocation Area No. 7) Special Fund.

Mr. Inks noted that Resolution No. 2291 sets the public hearing on the allocation for January 19, 2007 at 10:00 a.m. and sets the maximum allocation for Resolution No. 2302 at \$650,000.

Upon a motion by Mr. Hojnacki, seconded by Mr. Downes and unanimously carried, the Commission approved Resolution No. 2291 determining Commission intent to pay certain expenses incurred for local public improvements in or serving the West Washington-Chapin Allocation Area (South Bend Allocation Area No. 7) from the West Washington-Chapin Allocation Area (South

COMMISSION APPROVED RESOLUTION NO. 2291 DETERMINING COMMISSION INTENT TO PAY CERTAIN EXPENSES INCURRED FOR LOCAL PUBLIC IMPROVEMENTS IN OR SERVING THE WEST WASHINGTON-CHAPIN ALLOCATION AREA (SOUTH BEND ALLOCATION AREA NO. 7) FROM THE WEST WASHINGTON-CHAPIN ALLOCATION AREA (SOUTH BEND ALLOCATION AREA NO. 7) SPECIAL FUND AND SET THE PUBLIC HEARING ON RESOLUTION NO. 2302 FOR 10:00 A.M., JANUARY 19, 2007

6. NEW BUSINESS (CONT.)

E. West Washington/Chapin Development Area

(1) continued...

Bend Allocation Area No. 7) Special Fund
and set the public hearing on Resolution
No. 2302 for 10:00 a.m., January 19, 2007.

F. South Side Development Area

**(1) Commission approval requested for
Resolution No. 2293 setting a public
hearing on the appropriation of tax
increment financing revenues from
Allocation Area No. 1 fund for the
payment of certain obligations and
expenses related to the South Side
Development Area Allocation Area No. 1
and other related matters.**

Mr. Inks noted that Resolution No. 2293 sets
the public hearing on the allocation for
January 19, 2007 at 10:00 a.m. and sets the
maximum allocation for Resolution No. 2304
at \$100,000.

Upon a motion by Mr. Downes, seconded by
Mr. Hojnacki and unanimously carried, the
Commission approved Resolution No. 2293
setting a public hearing on the appropriation
of tax increment financing revenues from
Allocation Area No. 1 fund for the payment
of certain obligations and expenses related to
the South Side Development Area Allocation
Area No. 1 and other related matters and set
the public hearing on Resolution No. 2304
for 10:00 a.m., January 19, 2007.

COMMISSION APPROVED RESOLUTION No. 2293
SETTING A PUBLIC HEARING ON THE
APPROPRIATION OF TAX INCREMENT FINANCING
REVENUES FROM ALLOCATION AREA No. 1
FUND FOR THE PAYMENT OF CERTAIN
OBLIGATIONS AND EXPENSES RELATED TO THE
SOUTH SIDE DEVELOPMENT AREA ALLOCATION
AREA No. 1 AND OTHER RELATED MATTERS AND
SET THE PUBLIC HEARING ON RESOLUTION
No. 2304 FOR 10:00 A.M., JANUARY 19, 2007

6. NEW BUSINESS (CONT.)

F. South Side Development Area

- (2) Commission approval requested for Resolution No. 2294 setting a public hearing on the appropriation of tax increment financing revenues from Allocation Area No. 2 fund for the payment of certain obligations and expenses related to the South Side Development Area Allocation Area No. 2 and other related matters.**

Mr. Inks noted that Resolution No. 2294 sets the public hearing on the allocation for January 19, 2007 at 10:00 a.m. and sets the maximum allocation for Resolution No. 2305 at \$300,000.

Upon a motion by Mr. Hojnacki, seconded by Mr. Downes and unanimously carried, the Commission approved Resolution No. 2294 setting a public hearing on the appropriation of tax increment financing revenues from Allocation Area No. 2 fund for the payment of certain obligations and expenses related to the South Side Development Area Allocation Area No. 2 and other related matters and set the public hearing on Resolution No. 2305 for 10:00 a.m., January 19, 2007.

COMMISSION APPROVED RESOLUTION No. 2294
SETTING A PUBLIC HEARING ON THE
APPROPRIATION OF TAX INCREMENT FINANCING
REVENUES FROM ALLOCATION AREA No. 2
FUND FOR THE PAYMENT OF CERTAIN
OBLIGATIONS AND EXPENSES RELATED TO THE
SOUTH SIDE DEVELOPMENT AREA ALLOCATION
AREA No. 2 AND OTHER RELATED MATTERS AND
SET THE PUBLIC HEARING ON RESOLUTION
NO. 2305 FOR 10:00 A.M., JANUARY 19, 2007

- (3) Commission approval requested for Resolution No. 2295 setting a public hearing on the appropriation of tax increment financing revenues from Allocation Area No. 3 fund for the payment of certain obligations and expenses related to the South Side Development Area Allocation Area No. 3 and other related matters.**

6. NEW BUSINESS (CONT.)

F. South Side Development Area

3. continued...

Mr. Inks noted that Resolution No. 2295 sets the public hearing on the allocation for January 19, 2007 at 10:00 a.m. and sets the maximum allocation for Resolution No. 2306 at \$750,000.

Upon a motion by Mr. Downes, seconded by Mr. Hojnacki and unanimously carried, the Commission approved Resolution No. 2295 setting a public hearing on the appropriation of tax increment financing revenues from Allocation Area No. 3 fund for the payment of certain obligations and expenses related to the South Side Development Area Allocation Area No. 3 and other related matters and set the public hearing on Resolution No. 2306 for 10:00 a.m., January 19, 2007.

COMMISSION APPROVED RESOLUTION No. 2295
SETTING A PUBLIC HEARING ON THE
APPROPRIATION OF TAX INCREMENT FINANCING
REVENUES FROM ALLOCATION AREA No. 3
FUND FOR THE PAYMENT OF CERTAIN
OBLIGATIONS AND EXPENSES RELATED TO THE
SOUTH SIDE DEVELOPMENT AREA ALLOCATION
AREA No. 3 AND OTHER RELATED MATTERS AND
SET THE PUBLIC HEARING ON RESOLUTION
No. 2306 FOR 10:00 A.M., JANUARY 19, 2007

**(4) Commission approval requested for
Contract of Purchase and Sale in the
South Side Development Area (315 W.
Ireland & 329 W. Ireland Road.)**

Mr. Peterson noted that this is the last leg in the three-way Kokoku transaction. At the December 15 meeting the Commission approved the counter offer from Joe Grabill for the Commission to acquire the right of way by exchanging the property we received from Lock Joint Tube for the right-of-way. Joe Grabill has signed this Contract for Purchase and Sale, so we should be able to close on this transaction within a week. The Commission's commitment is to Quit Claim over what we received from him and he will provide a Warranty deed to the Commission.

6. NEW BUSINESS (CONT.)

F. South Side Development Area

4. continued...

Upon a motion by Mr. Hojnacki, seconded by Mr. Downes and unanimously carried, the Commission approved the Contract of Purchase and Sale for 315 W. Ireland Rd. and 329 W. Ireland Rd. and authorized execution of the Contract and Deed.

COMMISSION APPROVED THE CONTRACT OF PURCHASE AND SALE FOR 315 W. IRELAND RD. AND 329 W. IRELAND RD. AND AUTHORIZED EXECUTION OF THE CONTRACT AND DEED

G. Northeast Neighborhood Development Area

There was no business in the Northeast Neighborhood Development Area.

H. Douglas Road Economic Development Area

There was no business in the Douglas Road Economic Development Area.

7. PROGRESS REPORTS

Ms. Sobel made a progress report on the Natatorium project. South Bend Heritage Foundation (SBH) has expended a little over \$7,100 in claims. Most of that was for design work and structural analysis, including the new beam that has to go across the back to attach the new portion. It has turned out to be a little more complex than anticipated. The claims were also for design work for the Heritage Garden. SBH was recently awarded approximately \$30,000 by the Community Foundation's African American Fund for planting the garden. Ms. Sobel noted that they continue to refine their design and the materials to be used. They are working with IUSB to make sure the facility is what they need it to be.

PROGRESS REPORTS

Ms. Sobel also noted that, thanks to the diligent work of Ms. Greene, they now have the land ownership issues

7. PROGRESS REPORTS (CONT.)

resolved. They are now working with the adjacent funeral home to get an access agreement so repairs can be made. They will need BZA approval for building that close to the property line.

Ms. Sobel also noted that through the Board of Public Works SBH has awarded a bid to Atlas Building Services, Warsaw, Indiana, to do the repointing and terra cotta repair work that needs to be done. They were set to begin when the cold snap set in last fall. Unable to do such work in those temperatures, everyone agreed that the timetable would be postponed to begin in the spring.

Mr. King asked what the overall timeline is now. Ms. Sobel responded that SBH has raised about \$550,000 so far. The budget is now \$650,000, so they have another \$150,000 to raise. They hope to have the building ready for occupancy in fall 2007.

8. NEXT COMMISSION MEETING

The next meeting of the Redevelopment Commission is scheduled for Friday, January 19, 2007 at 10:00 a.m.

NEXT COMMISSION MEETING

9. ADJOURNMENT

There being no further business to come before the Redevelopment Commission, Mr. King made a motion that the meeting be adjourned. Mr. Hojnacki seconded the motion and the meeting was adjourned at 10:35 a.m.

ADJOURNMENT

Donald E. Inks, Director